



United States District Court

Southern District of Ohio

200 West Second Street

P.O. Box 818

Dayton, Ohio 45402

**Chambers of
Walter Herbert Rice
Chief Judge**

**(937) 512-1500
(FAX) (937) 225-2506**

October 31, 2001

Dear Counsel:

On February 19, 1999, the Judges of the Southern District of Ohio approved the concept of the Collaborative Law Project and the attached Motion for Stay and Order granting same.

The Collaborative negotiation techniques, developed by the Cincinnati-based Collaborative Law Center, represent an exciting, new Alternative Dispute Resolution mechanism. As stated by Robert Rack, Chief Circuit Mediator of the United States Court of Appeals for the Sixth Circuit, and a nationally renowned expert in mediation and in all forms of alternative dispute resolution:

"The Rule and forms adopted by the Southern District of Ohio will make it possible for parties and their counsel in already filed civil cases to literally stop their litigation in its tracks. This is a genuine contribution to litigation reform in the truest sense.

Collaborative law was born from the realization that much litigation simply is unwinnable; the damage to business, budgets, and valued relationships is too great a price to pay for the chance of victory. Perhaps more importantly, litigation is a poor environment in which to solve serious or complicated legal problems. By signing a Collaborative Law Participation Agreement, parties and their counsel commit to a structured, good faith effort to evaluate the merits of a claim or dispute. They agree to disclose voluntarily the information needed to make that appraisal, and not to threaten litigation. That last commitment, the contractual forswearing of litigation, changes everything and creates the correct atmosphere for respectful problem solving. Further, the formal agreement that collaborative counsel must withdraw from the case rather than

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participate in litigation, assures that everyone's interests are aligned toward resolution without acrimony.

The collaborative law model has been highly successful in domestic relations cases here in Cincinnati and elsewhere. There is every reason to think it will be just as successful in other civil disputes. We are confident it will meet the needs of those clients and lawyers whose experience has led them to value good outcomes more than legal victories, by providing a negotiating structure thoughtfully designed to assure just that."

For further information concerning this concept, please feel free to contact the judicial officer presiding in your case, the Collaborative Law Center, located at 8 West Ninth Street, Cincinnati, Ohio 45202-2036, either by phone (513-956-0795) or by consulting its website at www.collaborativelaw.com, or by contacting this Court's website at www.ohsd.uscourts.gov.

Sincerely,



Walter Herbert Rice

WHR:djv
Enclosure